

# **EXHIBIT 23**

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Salaried Retiree of Debtors

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x Chapter 11 Case No. 05-44481 (RDD)

In re:

DELPHI CORPORATION, et. al.,

Debtors. : (Jointly Administered):  
: :  
: :

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**NOTICE OF APPEAL**

Appellant, James Sumpter, pro se (Salaried Retiree of Debtor); hereby appeals to the United States District Court for the Southern District of New York under 28 U.S.C. § 158(a) from the Bankruptcy Court's Final Order Under 28 U.S.C. §§ 157(b), denying the Amended Motion for Recoupment On Behalf of Delphi Salaried Retirees [Docket # 21566 ]. A copy of the Final Order [Docket # 21645 ] is attached hereto.

The Appellant, James B. Sumpter, does not consent to have the appeal heard by the Bankruptcy Appellate Panel.

The names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

**1) Appellant:**

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21169 Westbay Circle  
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**2) Counsel to the Reorganized Debtors:**

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Detroit, MI 48236  
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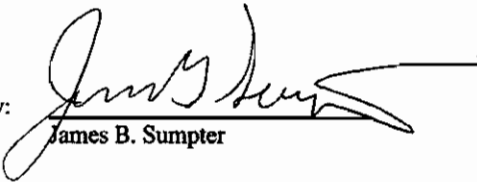
- and -

Skadden, Arps, Slate, Meagher & Flom LLP  
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Attn: Ron E. Meisler  
Telephone: (312) 407-0700

**3) Counsel to the United States Trustee:**

Office of the United States Trustee  
Southern District of New York  
33 Whitehall Street, 21<sup>st</sup> Floor  
New York, New York 10004  
Attn: Brian Masumoto  
Telephone: (212) 510-0500

Dated: Noblesville, Indiana  
October 19, 2011

By:   
James B. Sumpter

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Salaried Retiree of Debtors



1. This Court has subject matter jurisdiction over this matter under 28 U.S.C. §§ 157 and 1334 and paragraph 56 of the Plan Modification Order. This matter is a core proceeding within the meaning 28 U.S.C. § 157(b) in which the Court may enter a final order. This Court is the proper venue for this matter pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The Motion is denied.

3. This Court shall retain jurisdiction to hear and determine all matters arising from or relating to the implementation of this order.

Dated: White Plains, New York  
October 13, 2011

/s/Robert D. Drain  
U.S. BANKRUPTCY COURT JUDGE

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Salaried Retiree of Debtors

UNITED STATES BANKRUPTCY COURT  
 SOUTHERN DISTRICT OF NEW YORK

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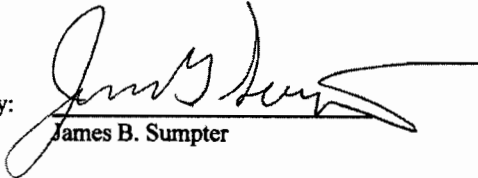
Debtors. : (Jointly Administered) :  
 : :  
 : :

-----X

**STATEMENT OF ELECTION THAT APPEAL BE HEARD BY THE UNITED STATES  
DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK**

Appellant, James Sumpter, pro se (Salaried Retiree of Debtor); hereby elects, pursuant to 28 U.S.C. § 158(c)(1) and Federal Rule of Bankruptcy Procedure 8001, to have the appeal from the Bankruptcy Court's Final Order Under 28 U.S.C. §§ 157(b) [Docket # 21654], denying the Amended Motion for Recoupment On Behalf of Delphi Salaried Retirees [Docket # 21566 ], heard by the United States District Court for the Southern District of New York.

Dated: Noblesville, Indiana  
October 19, 2011

By:   
James B. Sumpter

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